

S/N 10/566460

Amendment to Office Action dated 06/08/2009

Remarks

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks.

Claim 1 has been amended as supported by, for example, paragraphs [0066-0067].

Obviousness Rejections

Claims 1, 2, 12, and 15 have been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094). Applicants respectfully traverse this rejection.

Claim 1 is directed to an information recording medium where an outer power calibration area is provided on the outer periphery of the final point of recording of the user information signal on the recording layer, and by overwriting the address information of the final point with an address indicating the location of the innermost periphery of the outer power calibration area, the extent of the user data recordable area can be shrunk inward. An advantage of this is the outer power calibration area can be protected at the boundary between the user area and the lead-out area. This allows the outer power calibration area to be provided closer to the inner periphery, thereby obtaining more stable characteristics.

As discussed in the rejection, Hiroki fails to specifically disclose an outer power calibration area forming part of the data recordable area. Therefore, Hiroki fails to meet the limitations of the claim.

Toshiaki merely discloses an inner power calibration area and an outer power calibration area. Toshiaki does not disclose that an outer power calibration area is provided close to the inner periphery. Nor does Toshiaki disclose overwriting the address information of the final point with an address indicating the location of the innermost periphery of the outer power calibration area as required by claim 1. Therefore, even if the features of Toshiaki are combined with the features of Hiroki, the deficiencies of Hiroki are not remedied and the features of claim 1 are not met. Applicants respectfully request that the rejection of this claim be withdrawn.

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Claims 2, 12, and 15 are allowable at least by virtue of their dependence on independent claim 1. The rejection of these claims should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 4, 8, 9, and 23 have been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094) as applied to claim 1, and further in view of Ito et al. (7,184,377). Applicants respectfully traverse this rejection.

Claims 4, 8, 9, and 23 are allowable at least by virtue of their dependence on independent claim 1 or intervening dependent claims. The rejection of these claims should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 6 has been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094) and Ito et al. (7,184,377) as applied to claim 4 above, and further in view of Lee et al. (2008/0013425). Applicants respectfully traverse this rejection.

Claim 6 is allowable at least by virtue of its dependence on independent claim 1 or intervening dependent claims. The rejection of this claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 7 has been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094) and Ito et al. (7,184,377), as applied to claim 4 above, and further in view of *DVD+R 4.7 Gbytes Basic Format Specifications version 1.2, System Description*. Applicants respectfully traverse this rejection.

Claim 7 is allowable at least by virtue of its dependence on independent claim 1 or intervening dependent claims. The rejection of this claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 10 has been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094), as applied to claim 1 above, and

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further in view of *DVD+R 4.7 Gbytes Basic Format Specifications version 1.2, System Description*. Applicants respectfully traverse this rejection.

Claim 10 is allowable at least by virtue of its dependence on independent claim 1. The rejection of this claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 11 has been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094), as applied to claim 1 above, and further in view of *DVD+R 4.7 Gbytes Basic Format Specifications version 1.2, System Description*. Applicants respectfully traverse this rejection.

Claim 11 is allowable at least by virtue of its dependence on independent claim 1. The rejection of this claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 13, 14, 16, and 17 have been rejected under 35 U.S.C. 103(a) as unpatentable over Hiroki (5,703,841) in view of Toshiaki et al. (2004/0076094), as applied to claims 1 and 15 above, and further in view of Morozumi et al. (2003/0185120). Applicants respectfully traverse this rejection.

Claims 13, 14, 16, and 17 are allowable at least by virtue of their dependence on independent claim 1 or intervening dependent claims. The rejection of these claims should be withdrawn. Applicants do not concede the correctness of the rejection.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Dated: Sept. 8, 2009

Respectfully submitted,

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